

PTO/SB/21 (08-00)

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| | | 09/724,961 |
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| TRANSMITTAL | Application Number | 09/724,961 |
| FORM | Filing Date | Schenk, Dale B. |
| | First Named Inventor | 1647 3 3 3 7 3 7 3 7 3 7 3 7 3 7 3 7 3 7 3 |
| (to be used for all correspondence after initial filin | | |
| | Examiner Name | 2 8 |
| Total Number of Pages in This Submission 11 | Attorney Docket Number | 15270J-004752US |
| E | NCLOSURES (check all that apply | After Allowance Communication to |
| Fee Transmittal Form | Assignment Papers (for an Application) | Group Appeal Communication to Board of |
| Fee Attached | Drawing(s) | Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group |
| Amendment / Response | Licensing-related Papers | (Appeal Notice, Brief, Reply Brief) Proprietary Information |
| After Final | Petition Routing Slip (PTO/SB/69) and Accompanying Petition | Proprietary Information SEP 0 3 2002 |
| Affidavits/declaration(s) | Petition to Convert to a Provisional Application | |
| Extension of Time Request | Power of Attorney, Revocation Change of Correspondence Address | Other Enclosure(s) (please identify below): |
| Express Abandonment Request | Terminal Disclaimer Request for Refund | 1. Return Postcard (1 pg) |
| Information Disclosure Statement (3 pp) w/attached PTO/SB/08A (1 pg) and PTO/SB/08B (5 pp) (w/o refs 220-304) | CD, Number of CD(s) | |
| Certified Copy of Priority Document(s) | Remarks The Commission Deposit Account | er is authorized to charge any additional fees to 20-1430. |
| Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| | E OF APPLICANT, ATTORNE | Y, OR AGENT |
| Firm Townsend and Townsen | nd and Crew LLP | |
| and Rosemarie L. Celli | Re | eg. No. 42,397 |
| Signature Dosum | racie I. al | <i>()</i> |
| Date Au (L | xt 28, | 2002 |
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| I hereby certify that this correspondence is bein HAND DELIVERY addressed to: Assistant Corr | ng deposited with the United States mmissioner for Patents, Washingto | s Postal Service, Technical Center 1600, VIA in, D.C. 20231 on this date: August <u>2.7</u> , 2002 |
| Typed or printed name Heathe | n Savia | |
| Signature Lead | n Jan | Date August 27, 2002 |

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TENT DMT

Attorney Docket No.: 15270J-004752US Client Reference No.: 209-US-CIP8AC2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1800/29

In re application of:

Dale B. Schenk

Application No.: 09/724,961

Filed: November 28, 2000

For: PREVENTION AND TREATMENT

OF AMYLOIDOGENIC DISEASE

Examiner:

Turner, Sharon

Art Unit:

1647

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37

CFR §1.97 and §1.98

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

The references cited on attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/322,289, filed May 28, 1999 (Attorney Docket No. 15270J-004740US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

"'Grant Application; Raso, Immunology of Alzheimer's Disease', 1/1998," cited by the Examiner in Application No. 09/579,690, is submitted herewith as cite no. 304.

Application No. 09/579,690 is a commonly owned copending application directed to related subject matter. Applicant believes "1/1998" is not the publication date as alleged by the Examiner, but refers to the grant funding cycle. Applicant further believes the date of public accessibility, if any, is unknown. Applicant wishes to bring to the Examiner's attention that a copy of a grant application believed to have been submitted by Victor Raso for NIH Grant 1 R43 AGI 5746-01 on August 29, 1997 was previously submitted as cite no. 144. Cite no. 144 is a redacted version of cite no. 304. Applicant obtained cite no. 144 under the Freedom of Information Act (FOIA). It is believed that the grant proposal would not have been accessible

Dale B. Schenk

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under FOIA before April 2, 1998, but the exact date of public accessibility, if any, is not known to Applicant.

The Assignee of the instant application is a licensee of U.S. Patent No. 5,688,651, which is directed in part to subject matter related to the instant application. U.S. Patent No. 5,688,651 is now undergoing examination reissue as Application No. 09/441,140. U.S. Application No. 09/441,140 is cited in the PTO/SB/08A form attached hereto. U.S. Patent No. 5,688,651 was cited in the IDS submitted September 20, 2001.

Applicant wishes to bring to the Examiner's attention that Application No. 09/723,762 filed 11/28/00, a commonly owned copending application directed to related subject matter, was previously cited in error by Applicant as Application No. 09/724,762.

Further, Applicant wishes to bring to the Examiner's attention that Application No. 09/724,570 filed 11/28/00, a commonly owned copending application directed to related subject matter, was previously cited as Application No. 09/724,569. Due to a PTO clerical error, this application and another separate, unrelated application were both assigned Application No. 09/724,569. The Office corrected this error by assigning Application No. 09/724,570 to the application previously cited as Application No. 09/724,569.

In addition to the commonly owned copending applications directed to related subject matter previously cited, Applicant wishes to bring the following applications to the Examiner's attention:

09/979,701 filed 03/13/01 (U.S. National Stage of PCT/US00/14810 filed 05/26/00);

09/979,952 filed 04/04/02 (U.S. National Stage of PCT/US00/15239 filed 06/01/00); and,

09/980,568 filed 03/12/02 (U.S. National Stage of PCT/US00/15302 filed 06/01/00).

Applicant also cites the following copending application directed to related subject matter but subject to different assignment:

10/010,942 filed 12/06/01.

Applicant also cites the following abandoned application directed to related subject matter but subject to different assignment:

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60/251,892 filed 12/06/00.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Reg. No. 42,397

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